Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 29, 2004.

SIPE	MAN VE	MCD.	Printed: Lisa McDill					
MAR 3 1 20	re Application		STATES PATENT AND TRADEMARK OFFICE					
RADEMA	Title:	CALCIUM BINDING	PROTEIN					
	Serial No.:	10/025,730	Filing Date: December 18, 2001					
	Examiner:	Hutson, Richard G.	Group Art Unit: 1652					
	Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450							
		TRANSMITTAL FEE SHEET						
	Sir:  Transmitted herewith are the following for the above-identified application:  1. Return Receipt Postcard; 2. Information Disclosure Statement (2 pp.); 3. List of References Cited PTO-1449 (1 pg.); 4. Two (2) References (1 - 2); and 5. One (1) CD-R containing full copies of References 1 - 2.  The fee has been calculated as shown below.							
	X No additional Fee is required.							
	Please charge Deposit Account No. <b>09-0108</b> in the amount of : \$							
	The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §§ 1.16 and							
	1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.							
			Respectfully submitted,					
			INCYTE CORPORATION					
	Date: <u>Marc</u>	ch 29, 2004	Susan K. Sather Reg. No. 44,316 Direct Dial Telephone: (650) 845-4646					
			211000 2101 1010pinon (000) 010 1010					

Customer No.: 27904 3160 Porter Drive Palo Alto, California 94304 Phone: (650) 855-0555

Fax: (650) 845-4166

120302

Docket No.: PF-0635-2 DIV

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Printed: Lisa McDill

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Tang et al.

Title:

**CALCIUM BINDING PROTEIN** 

Serial No.:

10/025,730

Filing Date:

December 18, 2001

Examiner:

Hutson, Richard G.

Group Art Unit:

1652

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants wish to call to the attention of the Examiner the enclosed "List of References Cited by Applicants." The right is reserved to antedate any item in accordance with standard procedure.

Applicants respectfully submit that references 1-2 of the cited documents are voluminous PCT publications which would be burdensome both for Applicants to print and mail, and for the USPTO to receive, store and handle. Therefore, in the interest of reducing the burden on both Applicants and the USPTO, Applicants submit herewith one (1) CD-R disk containing an Adobe Acrobat (.pdf) file downloaded from Micropat containing the entirety of the cited PCT applications. In addition, it is noted that Examiner Cecilia Tsang of TC 1600 assured Diana Hamlet-Cox of Incyte Corporation, that the USPTO has electronic access to published PCT applications (see M.P.E.P. § 901.05(c)), so additional paper copies of such references would be duplicative.

The two cited PCT applications are listed below.

PCT Application	No. Pages
WO 99/04265	812 pages
WO 99/38972	4972 pages

Docket No.: PF-0635-2 DIV

Citation of the documents is not to be construed as an admission that the documents are necessarily prior art with respect to the instant invention. This submission is understood to complement the results of the Examiner's own independent search. Citation of the documents shall not be construed as a representation that a search has been made or that the cited items are inclusive of all the relevant and material citations that may be available publicly. Any NCBI report included herein may not have an accurate date for prior art purposes. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Applicants respectfully request that the cited documents be considered by the Examiner and that an initialed copy of the List of References Cited by Applicants be returned to Applicants.

It is believed that this disclosure complies with 37 CFR §§ 1.56, 1.97 and 1.98 and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, please telephone the undersigned.

Applicants believe that no fee is due with this paper. However, if the Commissioner determines that a fee is necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 09-0108.

If there are any questions regarding the above, the Examiner is invited to call the undersigned.

Respectfully submitted,

**INCYTE CORPORATION** 

Date: March 29, 2004

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U.S. Department of Commerce, Patent and Trademark Office	Atty Docket No.	Serial No.		
	PF-0635-2 DIV	10/025,730		
. PLIST OF REFERENCES CITED BY APPLICANTS	Applicant(s)			
(Nuse several sheets if necessary)	Tang et al.			
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	**2	WO 9938972	1999-08-05	PCT				
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Examiner	Date Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.